



## Lamoine Board of Selectmen

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### Minutes – January 14, 2016

Chairman Gary McFarland called the meeting to order at 7:00 PM.

Present were: Selectmen S. Josephine Cooper, Bernard Johnson, Heather Fowler, Gary McFarland, Nathan Mason; Administrative Assistant Stu Marckoon, Municipal Review Committee Chair Chip Reeves, Tim Sobel, Jackie Weaver (Ellsworth American), Bruce Gillett, Valerie Sprague (Comprehensive Planning), John Holt (Planning Board Chair), Kathie Gaianquest (Comprehensive Planning), Carol Korty and Catherine deTuede.

**Agenda Review** – Stu suggested moving the item regarding a recommendation from the Technology Committee to near the top of the agenda.

**Minutes – December 14, 2016** – Jo said she had one spelling error to correct. Nathan moved to approve the minutes with that correction. Bernie 2<sup>nd</sup>. **Vote in favor was 5-0.**

**Cable TV Operations Manager** – Stu reported the Technology Committee has recommended the hiring of Tim Sobel as the new CTV Operations Manager. Mr. Sobel was present and answered a few questions from the Board. Bernie moved to appoint him as the CTV Operations Manager. Nathan 2<sup>nd</sup>. **Vote in favor was 5-0. Selectmen signed the appointment paper.**

**Expenditure Warrant 15** – Stu noted the Selectmen signed warrant 15 in the amount of \$98,905.11 between meetings. There were no questions.

**Expenditure Warrant 16** – Selectmen signed the warrant in the amount of \$122,111.16. Stu noted most of the warrant was for school expenses and insurance. Nathan noted the first payment for the Trenton traffic light was on this warrant. Stu said it covered a 48-day period.

**Cash & Budget Report** – Selectmen reviewed the budget report generated earlier in the day.

**Review of Checking Account Reconciliation** – Selectmen signed the statement expressing satisfaction with the review of the checking account reconciliation which was e-mailed last week. Gary asked about a \$50 dollar check to Dead River. Stu said it was a payroll withholding.

**Excise Tax Report** – Gary said the report looks like very good excise tax collections for calendar year 2015. Stu said it was the most ever collected by the town in one calendar year, a sign the economy has come back.

**Foreclosed Property** – Stu reported the town foreclosed on Map 14 Lot 1 owned by the Estate of Doris DesIsles. He said the personal representative of the estate had not claimed the certified letter and it was returned to the town, so he sent the foreclosure notice by first class mail, and there has been no response. He said he has drafted a letter from the Board of Selectmen offering to sell the property back to the Estate for

payment of all back taxes, fees and interest. Nathan moved to send the letter. Bernie 2<sup>nd</sup>. **Vote in favor was 5-0, Selectmen signed the letter.**

**Municipal Review Committee Presentation** – Stu introduced Chip Reeves, the Chair of the Municipal Review Committee and public works director in Bar Harbor. Mr. Reeves distributed a printed presentation and gave an oral presentation based on the written distribution. As a brief summary, the Municipal Review Committee, of which Lamoine is a member, owns part of the Penobscot Energy Recovery Company (PERC) incinerator in Orrington. The MRC's contract with PERC expires in 2018 and the MRC believes it will not be economically feasible to keep operating PERC after that date. The MRC has entered into an agreement with Fiberight LLC to build a trash to fuel conversion plant in Hampden, and is seeking municipal approval to send trash to that plant when the PERC contract expires.

Mr. Reeves said they hope to have the various agreements that will need approval by next week. He said a legal review of these documents has been done, but he's not sure how those will be distributed.

Nathan asked how big the model Fiberight plant was that is operating in Virginia. Mr. Reeves said it's about a tenth of the size of the proposed plant for Hampden. Nathan asked how long the Virginia plant had operated. Mr. Reeves replied, about 8-years. He said they just increased the capacity of that plant, and noted that it is competing with an inexpensive landfill. He said another plant is approved for Iowa, but again, that is competing with a low-cost landfill. He said the technology at the proposed scale is not tested. He said the University of Maine at Orono pulp and paper school has reviewed the proposal and said that it's technically sound. He said it's similar to a pulp and paper operation.

Nathan asked if they are projecting the same volumes of trash as the MRC sends to the PERC plant. Mr. Reeves discussed tonnage and growth potential at the proposed plant. Bernie asked whether the Hampden facility has received the necessary permit approval. Mr. Reeves said they're expecting DEP approval soon and there has been an independent legal review, and the Hampden Planning Board still needs to approve. He noted that all wastes will be handled inside. There was a brief discussion about concern in Hampden about truck traffic and blowing trash.

Stu asked if it was impossible for the present PERC arrangement to continue. Mr. Reeves said the contract calls for the MRC to dissolve from the PERC plant in March 2018 and the MRC received a memorandum indicating that it would be impossible for the plant to operate at the same level as before because of decreased reimbursement for electricity sales.

Stu asked if the MRC has developed language for a town meeting warrant article. Mr. Reeves said a packet is going out next week and it should be in there. Stu said it might be helpful to have someone from the MRC attend the March 9, 2016 Town Meeting, if the Selectmen approve of including this article on the warrant. Mr. Reeves said he would add that to his schedule.

Mr. Reeves said the MRC's goal is to have enough towns remain with the MRC to send 150,000 tons of MSW to the Fibrigh plant by May or June.

**Animal Sheltering Contract** – Stu noted that both the Small Animal Clinic and the SPCA of Hancock County have offered contracts for sheltering. He suggested that the town could contract with both agencies and allow the Animal Control Officer to choose which one to utilize. Heather moved to sign both contracts. Nathan 2<sup>nd</sup>. **Vote in favor was 5-0.**

**Snow Plowing Contract Extension** – Stu reported that he drew up contract language based on the conversation at the previous meeting. He said Richard McMullen did not object to anything in that. Gary said he'd like to have a chance for all the Selectmen to read the language over before approving of the extension, and to place it on the agenda for next meeting. There was no objection.

**Trash / Recycling Transport Contract** – Stu noted the current contract with Pine Tree Waste (Casella) expires in June. He said the Selectmen could approve of the proposed contract extension or place the service out to bid. Selectmen discussed the proposed increase. Nate moved to make a counter offer of a 4% increase to Pine Tree. Bernie 2<sup>nd</sup>. **Vote in favor was 4-0 (Cooper abstained).**

**2016/17 Budget Recommendations** – Stu reviewed changes incorporated into the Budget Committee recommendations, including the Administration Phone, Ballot Clerk pay, snow plowing costs, and cemetery maintenance. He said with those changes, there should be no increase in the municipal budget portion that comes from Property Tax.

Selectmen reviewed the draft warrant dated 1/5/16. It was noted that the Sesquicentennial Fund should be added to the new funds list, and an article space for the Municipal Review Committee question(s).

**Gravel Ordinance Amendment** – Gary said the previous gravel ordinance revision didn't pass in November, and he wanted to bring back something to deal with setbacks, and read from a memorandum that Stu had prepared about some possibilities that could be discussed. Jo said the message she got from the vote was that the changes were not wanted. She said she is doubtful about spending any time on the issue. Bernie said it was clear that the opponents of the proposed ordinance did not want the setbacks restored to the previous ordinance distances, even forsaking better performance standards in the proposed ordinance. He said he was reluctant to propose anything. Jo said anything proposed would be viewed with suspicion. She said she would rather hear what the Planning Board might propose. Nathan noted it wasn't just the setbacks that drew opposition, and mentioned the proposal to increase the permit terms from 3-years to 5-years and to increase the scope threshold from 500 to 1,000 cubic yards of material. He said he hopes the Planning Board picks up on some of the improved language and proposes some changes.

Planning Board chair John Holt asked what has happened. Jo said the Selectmen are taking no action.

**Town Report** – Stu reported Xpress copy has increased the printing price by about \$23.00. The board had no objection to retaining them as the printer.

Stu had printed three possible covers for the town report. Selectmen opted to use a picture of a colorful sunrise at Lamoine Beach taken by Camille Legere and a collage of significant pictures from 2015 on the back page.

**Code Enforcement** – Stu reported CEO Millard Billings has adjusted his hours for the winter to Mondays from Noon to 2PM, as there is very little business. He is paid hourly.

**Consent Agreement** – Stu reported that all parties in the Mud Creek Road loam excavation have signed a consent agreement and the \$500 fine was paid.

**Transfer Station** – Stu reported that Transfer Station Facility Manager Chris Meyer is concerned about increasing incidents of illegally left materials. He asked if the Selectmen were interested in installing security cameras so that Mr. Meyer could better monitor things. There was a brief discussion and no support for a security camera system.

**Metal Pile** – Stu reported Mr. Meyer had established an area where folks could leave metal items for a local recycler. He said the facility was not licensed for that, though the original license did have a metals collection pile on the concrete pad where the recycling dumpsters now sit. He said he requested Mr. Meyer to not reopen the practice. There was a brief discussion on where people could get rid of metal, and some options listed.

**Land Donation** – Stu said Kenneth Smith had mentioned a donation of a small section of land that borders Blunt's Pond, but he has not seen a proposal in writing yet. Heather said both her family and Harold MacQuinn, Inc. have agreed to donate land in the future for the possible relocation of the town hall on a new foundation. Jo suggested getting something in writing. Stu suggested that if funding is approved at town meeting, that could be done from the first addition to the fund.

**Cell Tower Lease Extension** – Stu reported that the company that leases land for the cell tower from the town was fine with a new deadline for approval. He said a proposed contract was sent via e-mail and asked if the Selectmen wished to have the Selectmen review it. The board indicated that would be a good idea. There was a discussion on how to allocate the proposed \$20,000 signing bonus. Stu said he would present a memorandum on possible options for the next meeting.

**Returnables** – Jo moved to allocate the revenues from the returnables as follows:

Organization	Suggested Month
Lamoine School 8 <sup>th</sup> Grade	May, 2016
Lamoine School Sports Program	June, 2016

Lamoine School Music Program	July, 2016
Lamoine School Special Projects	August, 2016
Lamoine Recreation Committee	September, 2016
Lamoine Flag Program	October, 2016

Heather 2<sup>nd</sup>. **Vote in favor was 5-0.**

**Department of Labor Citations** – Bernie said he looked over the responses to the various inspections by the Maine Bureau of Labor Standards and felt they were well done. Stu reported that he mailed those to the Department of Labor earlier today.

**Assistance to Firefighting Grant (AFG)** – Stu reported that he has submitted a grant for funding purchase of 10 SCBA units (airpacks) for the fire department to replace 10 very old units.

**Street Sign Thefts** – Gary noted that numerous signs are missing in recent weeks and recalled offering an amnesty program in the past that was successful. A brief discussion followed with a suggestion that students be educated about the importance of signs during fire prevention week.

**Wind/Rain Storm – January 10/11, 2016** – Stu briefly summarized the town's response to the storm, including 8 calls for service from the fire department for trees on wires, flooded basements, and road flooding. He said the Needles Eye Road twin culverts washed out again, and thanked Perry Fowler for the quick response. He said he hired Mike Jordan to replace shingles that blew off the salt/sand shed, and asked Richard McMullen's crew to clean up trees that had fallen into the roads around town. He noted that he submitted a FEMA form 7, but doubted there was enough damage county wide to qualify for disaster assistance.

**Firefighter Accident** – Stu reported that he had placed a memorandum in the materials for tonight regarding an accident by one of the firefighters who hit a car while enroute to the fire station to respond to a call on Tuesday.

**Notice of Violation** – Stu reported the Board of Appeals will hear a case involving a new home that has been placed too close to the right of way on Douglas Highway.

**Vacation Request** – There was no objection to Stu taking vacation from March 30, 2016 to April 8, 2016.

There being no further business, the meeting adjourned at 9:01 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen